

449

H. R. GARNER,
Grantor

TO

QUIT CLAIM DEED

BOYCE LEE GARNER,
Grantee

FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00) cash in hand paid and the cancellation of that certain promissory note given by H. R. Garner to Boyce Lee Garner for the principal indebtedness of Four Thousand Dollars (\$4,000.00) dated October 14, 1981; and other good, legal, sufficient and valuable considerations and the love and affection I have for my father, the receipt and sufficiency of all of which is hereby acknowledged, I, H. R. Garner, Grantor, do hereby sell, convey, quit claim, release and remise all of my right, title and interest unto my father, Boyce Lee Garner, Grantee, the following described land and property being situated in the County of DeSoto, State of Mississippi, more particularly described as follows, to-wit:

The North one hundred twenty (120) acres of the Southeast Quarter of Section 20, Township 2, Range 5 West, DeSoto County, Mississippi, and being the same 120 acres of land conveyed to Eddie Mosby and wife, Precious Mosby by Mrs. Trene Nichols Bailey under deed date January 16, 1947, recorded in Deed Book 35, Page 105 in the Office of the Chancery Court Clerk of DeSoto County, Mississippi, LESS AND EXCEPT seventy (70) acres of land conveyed by Eddie Mosby and wife, Precious Mosby to Eddie Wright and wife, Laura Wright under Deed dated December 1, 1947, and recorded in Deed Book 35, Page 328 in the office of the Chancery Court Clerk of DeSoto County, Mississippi, LESS AND EXCEPT 1.53 acres conveyed by Jessie Brunson and wife, Precious Mosby Brunson to DeSoto County, Mississippi, under deed dated October 3, 1955, recorded in Deed Book 41, page 188 in the office of the Chancery Court Clerk of DeSoto County, Mississippi, LESS AND EXCEPT 13.5 acres conveyed by James P. Tipton, Chancery Court Clerk under order of said Chancery Court, DeSoto County, Mississippi to Elbert Milam and wife, Ermalee Milam by deed dated November 8, 1957 recorded in Deed Book 44, page 330 in the Office of the Chancery Court Clerk, DeSoto County, Mississippi, LESS AND EXCEPT 6.94 acres of land conveyed by James W. Miller, et al to the Mississippi State Highway Commission by deed dated September 8, 1965 recorded in Deed Book 63, Page 288 in the Office of the Chancery Court Clerk, DeSoto County, Mississippi, and reference is made to the herein conveyance for more accurate description of the said land.

By way of explanation, this is the same property quit claimed by Boyce Lee Garner unto H. R. Garner by Quit Claim Deed dated October 14, 1981, recorded in Deed Book 156, Page 171, in the office of the Chancery Court Clerk of DeSoto County, Mississippi. This being the same property that Boyce Lee Garner obtained by virtue of the deed from Geneva C. Garner, widow of his brother, Harry J. Garner, by deed dated October 5, 1981; and by virtue of the deed from Dale P. Estes dated October 20, 1976, recorded in Deed Book 126, Page 683 in the office of the Chancery Court Clerk of DeSoto County, Mississippi.

By way of further explanation, it is the intention of the Grantor herein by returning said property unto Boyce Lee Garner, his father, Boyce Lee Garner in consideration of which is cancelling the Four Thousand Dollar (\$4,000.00) promissory note dated October 14, 1981, repayable at ten percent (10%) per annum interest from date until

paid, being full and final settlement of said indebtedness by and between the parties.

This conveyance is made subject to all applicable building restrictions, easements of record and restrictive covenants.

Taxes for the years 1981 and 1982 are to be paid by the Grantee herein.

Possession shall pass upon delivery of this deed.

Witness the signature of the Grantor, this the 2d day of February, 1982.

H. R. Garner
H. R. GARNER, Grantor

STATE OF MISSISSIPPI
COUNTY OF DESOTO

This day personally appeared before me, the undersigned authority in and for said county and state, the within-named H. R. Garner, who acknowledged that he signed and delivered the above and foregoing Quit Claim Deed on the day and year therein mentioned as his free and voluntary act and deed for the purposes therein expressed.

Given under my hand and official seal of office, this the 2d day of February, 1982.

Jenny L. Smith
NOTARY PUBLIC

My Commission Expires:

My Commission Expires Oct. 8, 1983

Grantor's Address: 19 Union Street, Hernando, Mississippi, 38632
Grantee's Address: 19 Union Street, Hernando, Mississippi, 38632

STATE OF MISSISSIPPI, DESOTO COUNTY

I certify that the within instrument was filed for record at 10 o'clock 50 minutes A.M. 5 day of Feb. 1982, and that the same has been recorded in Book 157 Page 449 records of WARRANTY DEEDS of said County.

Witness my hand and seal this the 9 day of February 1983.
Fee 3.50 pd.

H. M. Ferguson Clerk